

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Janice A. Jerdan

Patricia Zilliox

Stella M. Robertson

Group Art Unit: 1611

Examiner: J. Kudla

Serial No.: 10/521,707 (Conf. #9224)

Atty. Dkt. No.: 2422 US F

Filed: January 19, 2005

For: USE OF ANECORTAVE ACETATE FOR
THE PROTECTION OF VISUAL
ACUITY IN PATIENTS WITH AGE
RELATED MACULAR
DEGENERATION

**RESPONSE TO RESTRICTION REQUIREMENT
DATED JANUARY 14, 2008**

Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in response to the Office Action/Restriction Requirement dated January 14, 2008, for which the one-month date for response was February 14, 2008.

A request for a one-month extension of time to respond is included herewith along with the required fee. This one-month extension will bring the due date to March 14, 2008, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Alcon Laboratories Deposit Account No. **501051**.

Reconsideration of the application is respectfully requested.

I. RESPONSE TO RESTRICTION REQUIREMENT

The election/restriction requirement under 35 U.S.C. §§ 121 and 372 states that the present application claims three distinct inventions. Group I (claims 1-8, 13-15 and 17-20) is drawn to a method for the prevention of loss of, and maintenance of, visual acuity associated with AMD via administering anecortave acetate; Group II (claims 9-12, 13, 16-20 and 24-25) is drawn to a method for the inhibition of lesion growth associated with AMD via administering anecortave acetate; and Group III (claims 21-23) is drawn to a method for the inhibition of blood vessel growth associated with AMD via administering anecortave acetate. For purposes of fully responding to the restriction requirement, Applicants elect the invention set forth in Group I, that is claims 1-8, 13-15 and 17-20.

Applicants reserve the right to pursue claims directed to the non-elected inventions and embodiments at a later time.

This is believed to be a complete response to the restriction requirement. The Examiner is invited to contact the undersigned attorney at (817) 551-4321 with any questions, comments or suggestions relating to the referenced patent application

Respectfully submitted,

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Date: March 14, 2008